GOVERNMENT OF INDIA
SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA

UNSTARRED QUESTION NO:4217
ANSWERED ON:19.04.2002
ILL TREATMENT TO MENTALLY ILL PATIENTS
C.K. JAFFER SHARIEF

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether some complaints have been received regarding the ill treatment meted to the mentally ill patients particularly mentally challenged patients lodged in hospitals are chained;

(b) whether there have been prepared any charter by the Foundation for Law Reforms and Jan Kalyan Manch for mentally challenged persons;

(c) whether the Supreme Court has also made some observations in this regard that affected persons should be awarded of their Fundamental Rights;

(d) if so, the details in this regard;

(e) whether suggestions have been made for providing free legal aid to them; and

(f) if so, the details in this regard?

Answer

THE MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT (DR. SATYANARAYAN JATIYA)

(a) No complaints have been received regarding ill treatment of the mentally ill patients in respect of Government run mental hospitals or registered mental health care centers in the Country.

(b) The Government is not aware of any charter prepared by the Foundation for Law Reforms and Jan Kalyan Manch for mentally challenged persons.

(c) to (f) In its order dated 5.2.2002, Hon`ble Supreme Court directed the State Governments and Union Territories to submit a compliance report stating that no mentally challenged persons is chained in any part of the State. It may be mentioned that Section 81 of the Mental Health Act 1987 provides for the protection of human rights of mentally ill persons and prohibits any ill treatment or indignity (whether physical or mental) to them. Section 91 of the Act also contains provisions for legal aid to mentally ill persons at State expense.